IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application

Applicant(s):	Gn et al.
Case:	3-3-1-1-1
Serial No.:	10/081,874
Filing Date:	February 21, 2002
Group:	2179
Examiner:	Mylinh T. Tran

> I hereby certify that this paper is being deposited on this date with the U.S. Postal Service as first class mail addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450
>
> Signature: _____ Date: <u>November 10, 2005</u>

Title: Method and Apparatus for Generating a Graphical Interface to Enable Local or Remote Access to an Application Having a Command Line Interface

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TRANSMITTAL OF APPEAL BRIEF

Mail Stop Appeal Brief
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith are the following documents relating to the above-identified patent application:

1. Appeal Brief; and

2. Copy of Notice of Appeal, filed on September 14, 2005, with copy of stamped return postcard indicating receipt of Notice by PTO on September 16, 2005.

There is an additional fee of <u>$500</u> due in conjunction with this submission under 37 CFR §1.17(c). Please charge **Deposit Account No. 50-0762** the amount of <u>$500</u>, to cover this fee. In the event of non-payment or improper payment of a required fee, the Commissioner is authorized to charge or to credit **Deposit Account No. 50-0762** as required to correct the error. A duplicate copy of this letter is enclosed.

Respectfully,

Kevin M. Mason
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(203) 255-6560

Date: November 10, 2005

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Title: Method and Apparatus for Generating a Graphical Interface to Enable Local or Remote Access to an Application Having a Command Line Interface

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APPEAL BRIEF

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants hereby appeal the final rejection dated May 18, 2005, of claims 1 through 22 of the above-identified patent application.

REAL PARTY IN INTEREST

The present application is assigned to Agere Systems Inc., as evidenced by an assignment recorded on May 29, 2002 in the United States Patent and Trademark Office at Reel 012942, Frame 0984. The assignee, Agere Systems Inc., is the real party in interest.

RELATED APPEALS AND INTERFERENCES

There are no related appeals or interferences.

STATUS OF CLAIMS

Claims 1 through 22 are pending in the above-identified patent application. Claims 1-22 remain rejected under 35 U.S.C. §102(b) as being anticipated by Kressin et al. (United States Patent Number 5,617,527).

5

STATUS OF AMENDMENTS

There have been no amendments filed subsequent to the final rejection.

SUMMARY OF CLAIMED SUBJECT MATTER

10   The present invention is directed to generating a graphical interface for software applications having a command line interface to enable local or remote access of such software applications in a uniform manner without regard to the location of the remote application (page 4, line 20, to page 5, line 4). The location and syntax of a new software application, and any required environment settings, are specified in response to

15   a sequence of queries (page 5, lines 5-21; page 8, lines 4-26). The specifications for each software application is parsed to generate a graphical client interface listing the available software applications and enabling remote access to such software applications (page 5, lines 5-21). A desired software application is selected by a user from the client interface and the user specifies any necessary parameters for the selected software application. An

20   input file is transferred from the client to the remote server where the selected software application is located (page 5, lines 22-30). Any output or log files are returned to the client, for example, using the FTP protocol. The client interface permits distributed processing through a web interface and enables software applications to be accessed and used from a remote location (page 6, lines 5-12).

25

STATEMENT OF GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

Claims 1-22 are rejected under 35 U.S.C. §102(b) as being anticipated by Kressin et al.

ARGUMENT

Independent Claims 1, 8, 12 and 22

Independent claims 1, 8, 12, and 22 were rejected under 35 U.S.C. §102(b) as being anticipated by Kressin et al. In particular, the Examiner asserts that Kressin

5   discloses querying a user to information provided by each of the software applications (col. 3, line 62, to col. 4, line 8). In the Response to Arguments section of the final Office Action, the Examiner asserts that, "because of the correspondence, the command line interface has to query the GUI programmer to specify properties in order to create the correspondent GUI based on these properties."

10   In the Response to Office Action dated March 2, 2005, Applicants argued that Kressin teaches that:

> the initial step of the invention, 500, is the creation of a Table
> which provides a correspondence between each command of an
> application program and a button. The button/command association (table)
15   is *established by the GUI programmer.*
> (Col. 3, line 65, to col. 4, line 2; emphasis added.)

> Kressin teaches that the application program/button
> correspondence is incorporated into the program by the GUI programmer.
> Kressin does *not* disclose or suggest querying a user to specify the
20   properties. Independent claims 1, 8, 12, and 22 require *queryin`g a user to
> specify properties* of one or more option groups provided by each of said
> software applications.

> Thus, Kressin et al. do not disclose or suggest querying a user to
> specify properties of one or more option groups provided by each of said
25   software applications, as required by independent claims 1, 8, 12, and 22.

Applicants acknowledge that, as the Examiner asserts, the user cited in the independent claims of the present invention could be the GUI programmer (Tool Developer 210 of the present invention). Applicants also note, however, that the present

30   disclosure teaches that "the developer is then queried during step 540 to specify the properties of each *option group, i.e., for the constraints associated with a given option group, such as whether the various options within an option group can be used together and any input file requirements.*" (Page 8, lines 15-18, of the originally filed disclosure; emphasis added.) The disclosure also teaches that

35   the software applications have the following general
  syntax:

3

Tool_name [*option 1*] [*option 2*] .... <*filename*>
where each of these *options* further can be of one of the
following types {exactly one parameter; one or more than one; none or
more and with or without an input file}. In this manner, the developer 210
5   or administrator can establish *groups and subgroups of parameters with
similar properties.*
(Page 8, line 28, to page 9, line 4, of the originally filed disclosure; emphasis
added.)

Finally, the present disclosure teaches that "the developer 210 or
10   administrator is queried using a second interface 900, shown in FIG. 9, to specify the

properties of each type of option, i.e., for the *constraints associated with a given option

group*, such as whether the various options (identified in window 950) within an option

group can be used together in field 910 and any input file requirements in field 970."

(Page 11, lines 21-24, of the originally filed disclosure; emphasis added.)

15   Once the tool is registered, "the web page 1100 allows the *user to specify

the arguments for the input files for the various option groups*, as appropriate." (Page 12,

lines 4-6, of the originally filed disclosure; emphasis added.)

Kressin, however, does not disclose or suggest *options groups* as defined

in the present invention, and does not disclose or suggest *specifying properties of options

20   groups.* Independent claims 1, 8, 12, and 22 require *querying a user to specify properties

of one or more option groups* provided by each of said software applications.

Thus, Kressin et al. do not disclose or suggest querying a user to specify

properties of one or more option groups provided by each of said software applications,

as required by independent claims 1, 8, 12, and 22.

25   <u>Claims 11 and 21</u>

Claims 11 and 21 are rejected under 35 U.S.C. §102(b) as being

anticipated by Kressin et al. In particular, the Examiner asserts that Kressin demonstrates

the remote server script provides any necessary input files to said remote server, initiates

the execution of said selected software application on said remote server and returns any

30   results to said client (col. 5, line 20, to col. 6, line 20).

Applicants, however, could find no disclosure or suggestion by Kressin of

a remote server script that provides any necessary input files to a remote server, and of

initiating the execution of a selected software application on the remote server and

returning any results to a client. Claims 11 and 21 require wherein said remote server script provides any necessary input files to said remote server, initiates the execution of said selected software application on said remote server and returns any results to said client.

5   Thus, Kressin et al. do not disclose or suggest wherein said remote server script provides any necessary input files to said remote server, initiates the execution of said selected software application on said remote server and returns any results to said client, as required by claims 11 and 21.

10   Conclusion

The rejections of the cited claims under section 102 in view of Kressin et al. are therefore believed to be improper and should be withdrawn. The remaining rejected dependent claims are believed allowable for at least the reasons identified above with respect to the independent claims.

15

The attention of the Examiner and the Appeal Board to this matter is appreciated.

Respectfully,

20

Date: November 10, 2005   Kevin M. Mason
                               Attorney for Applicant(s)
                               Reg. No. 36,597
25   Ryan, Mason & Lewis, LLP
                               1300 Post Road, Suite 205
                               Fairfield, CT 06824
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APPENDIX

1. A method for generating a graphical interface for one or more software applications having a command line interface, said method comprising the steps of:

5   querying a user to specify properties of one or more option groups provided by each of said software applications; and

generating a graphical user interface based on said specified properties for each of said software applications, said graphical user interface identifying each of said software applications and allowing a selected one of said software applications to be 10   accessed.

2. The method of claim 1, wherein said properties of each option group includes an indication of whether the various options within an option group can be used together.

15

3. The method of claim 1, wherein said properties of each option group includes an indication of any input file requirements.

4. The method of claim 1, wherein said properties of each option group 20   includes a name of a corresponding software application.

5. The method of claim 1, wherein said properties of each option group includes a location of a corresponding software application.

25   6. The method of claim 1, wherein said graphical user interface allows a client to access a selected software application without regard to a location of said selected software application.

7. The method of claim 1, wherein said graphical user interface presents 30   a client with only valid options for a selected software application.

8. A method for enabling remote access to one or more software applications having a command line interface, said method comprising the steps of:

querying a user to specify properties of one or more option groups provided by each of said software applications; and

generating a graphical user interface based on said specified properties for each of said software applications, said graphical user interface identifying each of said software applications and allowing one or more clients to remotely access a selected software application.

9. The method of claim 8, wherein a central server interacts with said one or more clients and a remote server where said selected software application is located.

10. The method of claim 9, wherein said central server interacts with said one or more clients and said remote server using a remote server script.

11. The method of claim 10, wherein said remote server script provides any necessary input files to said remote server, initiates the execution of said selected software application on said remote server and returns any results to said client.

12. A system for generating a graphical interface for one or more software applications having a command line interface, said system comprising:

a memory that stores computer-readable code; and

a processor operatively coupled to said memory, said processor configured to implement said computer-readable code, said computer-readable code configured to:

query a user to specify properties of one or more option groups provided by each of said software applications; and

generate a graphical user interface based on said specified properties for each of said software applications, said graphical user interface identifying each of said software applications and allowing a selected one of said software applications to be accessed.

13. The system of claim 12, wherein said properties of each option group includes an indication of whether the various options within an option group can be used together.

5   14. The system of claim 12, wherein said properties of each option group includes an indication of any input file requirements.

15. The system of claim 12, wherein said properties of each option group includes a name of a corresponding software application.

10

16. The system of claim 12, wherein said properties of each option group includes a location of a corresponding software application.

17. The system of claim 12, wherein said graphical user interface allows a
15   client to access a selected software application without regard to a location of said selected software application.

18. The system of claim 12, wherein said graphical user interface presents a client with only valid options for a selected software application.

20

19. The system of claim 12, wherein a central server interacts with one or more clients and a remote server where said selected software application is located.

20. The system of claim 19, wherein said central server interacts with said
25   one or more clients and said remote server using a remote server script.

21. The system of claim 20, wherein said remote server script provides any necessary input files to said remote server, initiates the execution of said selected software application on said remote server and returns any results to said client.

30

22. An article of manufacture for generating a graphical interface for one or more software applications having a command line interface, comprising:

a computer readable medium having computer readable code means embodied thereon, said computer readable program code means comprising:

a step to query a user to specify properties of one or more option groups provided by each of said software applications; and

a step to generate a graphical user interface based on said specified properties for each of said software applications, said graphical user interface identifying each of said software applications and allowing a selected one of said software applications to be accessed.

EVIDENCE APPENDIX

There is no evidence submitted pursuant to § 1.130, 1.131, or 1.132 or entered by the Examiner and relied upon by appellant.

RELATED PROCEEDINGS APPENDIX

There are no known decisions rendered by a court or the Board in any proceeding identified pursuant to paragraph (c)(1)(ii) of 37 CFR 41.37.
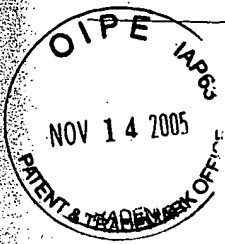
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Receipt in the USPTO is hereby acknowledged of:

Transmittal Letter – (Original & 1 copy)
Notice of Appeal - (Original & 1 copy)

Case Name: Gn 3-3-1-1-1
Serial No.: 10/081,874

1150-1059

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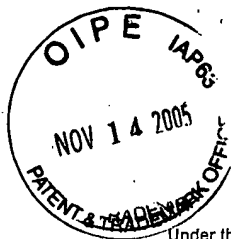
NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES	Docket Number (Optional) Gn 3-3-1-1-1

| I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Assistant Commissioner for Patents, Washington D.C. 20231" on _September 14, 2005_ .

Signature _(signature)_

Typed or printed name___ Tina Maurice _____ . | In re Application of

Gn et al. |

Application Number 10/081,874	Filed February 21, 2002

For Method and Apparatus for Generating a Graphical Interface to Enable Local or Remote Access to an Application Having a Command Line Interface

Group Art Unit 2179	Examiner Mylinh T. Tran

Applicant hereby **appeals** to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 1.17(b)) $ _500.00_____ .

☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: $_____ .

☐ A check in the amount of the fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☐ The Commissioner has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.

☑ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No._____ 50-0762_____ . I have enclosed a duplicate copy of this sheet.

☑ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the

☐ applicant/inventor.

☐ assignee of record of the entire interest.
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

☑ attorney or agent of record.

☐ attorney or agent acting under 37 CFR 1.34(a).
Registration number if acting under 37 CFR 1.34(a)._____ .

(signature)
Signature

___ Kevin M. Mason ____
Typed or printed name

September 14, 2005
Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☐ *Total of _____ forms are submitted.